

## **Buying and Selling Shellfish in Maryland – License and Certification Requirements for Harvesters and Dealers**

\*Note – Requirements have changed as of July 1, 2013 – please read carefully\*

- In Maryland, a **licensed shellfish harvester** (Unlimited Tidal Fish, Oyster Harvester, Oyster Dredge Boat, or Clam Harvester) **selling oysters or clams for human consumption on the retail market or to private individuals** (i.e., to anyone who does not have a DNR Tidal Fish Dealer License and a DHMH Shellfish Certification), **must have a Maryland DNR Tidal Fish Dealer License AND a Shellfish Certification from the Department of Health and Mental Hygiene (DHMH)**. To apply for a DHMH Shellfish Certification or to get more information, please call Erin Butler at: 410-767-8404 or at 443-690-3079.
- Licensed shellfish **harvesters without a Shellfish Certification** from DHMH, **must sell oysters and clams for human consumption to a dealer who possesses both a DNR Tidal Fish Dealer License AND a DHMH Shellfish Certification**.
- If you have a DNR Tidal Fish Dealer License AND a Shellfish Certification from DHMH and are selling your own catch or buying from other harvesters, you are responsible for filling out **shellfish buy tickets** and **tax reports** (available at DNR regional service centers or by calling 410-260-3220), submitting them according to the schedule in the buy ticket book, and paying the **applicable taxes**. These requirements are in addition to your **monthly harvest report**.
- If you are selling **clams for bait**, you must sell to someone who has a DNR Tidal Fish Dealer License if you do not have one yourself. If you have a Tidal Fish Dealer License, you can sell bait clams to whomever you choose.
- What changed? As of July 1, 2013, if you are not selling to a DNR Tidal Fish Licensed Dealer, you need to be a DNR Tidal Fish Licensed Dealer.

### **Why two licenses?**

There are rules from the Food and Drug Administration called the National Shellfish Sanitation Program Model Ordinance that are required for every State that sells shellfish as a food product. This includes the rule that oysters and clams for human consumption may only be sold to dealers that are certified by DHMH. This rule is in DNR and DHMH regulation and will be enforced by Natural Resources Police for the safety of both the public and the industry. It is in the best interest of the industry to follow these rules and for Maryland to be known as a source of safe, healthy shellfish.

If you still have questions about buying or selling oysters or other shellfish, please call Frank Marengi at the Maryland DNR Shellfish Program at 410-260-8302.